



General Assembly

February Session, 2006

Raised Bill No. 511

LCO No. 2520

02520_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

***AN ACT CONCERNING THE TOWING OF UNREGISTERED VEHICLES
AND SPECIAL LICENSE PLATES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-150 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) Any person who abandons any motor vehicle within the limits of
4 any highway or upon property other than such person's own without
5 the consent of the owner thereof for a period longer than twenty-four
6 hours shall have committed an infraction and shall be fined not less
7 than eighty-five dollars. The last owner of record of a motor vehicle
8 found abandoned, as shown by the files of the Department of Motor
9 Vehicles, shall be deemed prima facie to have been the owner of such
10 motor vehicle at the time it was abandoned and the person who
11 abandoned the same or caused or procured its abandonment.

12 (b) Any inspector of the Department of Motor Vehicles, any officer
13 attached to an organized police department, any enforcement officer of

14 a parking authority authorized under an ordinance adopted pursuant
15 to section 7-204a to enforce parking regulations in the municipality in
16 which it is located or any state police officer upon discovery of any
17 motor vehicle, whether situated within or without any highway of this
18 state, which is a menace to traffic or public health or safety, shall take
19 such motor vehicle into such inspector's or officer's custody and cause
20 the same to be taken to and stored in a suitable place.

21 (c) Any inspector of the Department of Motor Vehicles, any officer
22 attached to an organized police department, any enforcement officer of
23 a parking authority authorized under an ordinance adopted pursuant
24 to section 7-204a to enforce parking regulations in the municipality in
25 which it is located or any state police officer, upon discovery of any
26 motor vehicle apparently abandoned or a motor vehicle without
27 proper registration or insurance, whether situated within or without
28 any highway of this state, shall, [affix] at his or her discretion, either:
29 (1) Affix to such motor vehicle a notification sticker in a manner so as
30 to be readily visible. This notification sticker shall contain the
31 following information: [(1)] (A) The date and time the notification
32 sticker was affixed to the motor vehicle; [(2)] (B) a statement that
33 pursuant to this section, if the motor vehicle is not removed within
34 twenty-four hours of the time the sticker was affixed, it shall be taken
35 into custody and stored at the owner's expense; [(3)] (C) the location
36 and telephone number where additional information may be obtained;
37 and [(4)] (D) the identity of the affixing officer. If the motor vehicle is
38 not removed within such twenty-four-hour period, the affixing
39 department or parking authority shall take such motor vehicle into its
40 custody and cause the same to be stored in a suitable place, except that
41 such department or parking authority shall make a reasonable attempt
42 to notify the owner of any such motor vehicle which is determined to
43 be stolen prior to taking such vehicle into its custody and shall allow
44 such owner to make arrangements for removal of such vehicle, or (2)
45 take such motor vehicle into such inspector's or officer's custody and
46 cause the same to be taken to and stored in a suitable place.

47 (d) If the motor vehicle has no registration marker plates or invalid
48 registration marker plates, and if such inspector or officer makes a
49 determination in good faith that (1) the motor vehicle is apparently
50 abandoned, (2) the market value of such motor vehicle in its current
51 condition is five hundred dollars or less, and (3) the motor vehicle is so
52 vandalized, damaged, or in disrepair as to be unusable as a motor
53 vehicle, title to such motor vehicle shall, upon taking custody of such
54 motor vehicle, immediately vest in the municipality in which the
55 motor vehicle was discovered. [Within] Not later than forty-eight
56 hours [of] after the time that such motor vehicle is taken into custody,
57 the affixing department or parking authority shall notify the
58 Commissioner of Motor Vehicles, in writing, of the vehicle
59 identification number and a description of the motor vehicle. Upon
60 sale or other disposition of the motor vehicle, the affixing department
61 or parking authority shall give written notice by certified mail to the
62 person who was the owner of such motor vehicle at the time of
63 abandonment, if known, which notice shall state that the motor vehicle
64 has been sold or otherwise disposed of. The proceeds of the sale or
65 disposition, or the fair market value of the motor vehicle in its current
66 condition, whichever is greater, less the towing and sale or disposal
67 expenses and the amount of any fines due, shall be paid to such person
68 or such person's representatives, if claimed by such person or them
69 [within] not later than one year [from] after the date of sale. If such
70 balance is not claimed within such period, it shall escheat to the
71 municipality. If the expenses incurred by the municipality for towing
72 and the sale or disposition of such motor vehicle and any such fines
73 exceed the proceeds of such sale or disposition, such person shall be
74 liable to such municipality for such excess amount.

75 (e) [Within] Not later than forty-eight hours [of] after the time that a
76 motor vehicle is taken into custody and stored pursuant to subsection
77 (b) or (c) of this section, the affixing department or parking authority
78 shall give written notice by certified mail to the owner and any
79 lienholders of such motor vehicle, if the same appears on the records of
80 the Department of Motor Vehicles, which notice shall state (1) that the

81 motor vehicle has been taken into custody and stored, (2) the location
82 of storage of the motor vehicle, (3) that, unless title has already vested
83 in the municipality pursuant to subsection (d) of this section, such
84 motor vehicle may be sold after fifteen days if the market value of such
85 motor vehicle does not exceed one thousand five hundred dollars or
86 after forty-five days if the value of such motor vehicle exceeds one
87 thousand five hundred dollars, and (4) that the owner has a right to
88 contest the validity of such taking by application, on a form prescribed
89 by the Commissioner of Motor Vehicles, to the hearing officer named
90 in such notice [within] not later than ten days [from] after the date of
91 such notice. Such application forms shall be made readily available to
92 the public at all offices of the Department of Motor Vehicles, parking
93 authorities authorized under an ordinance adopted pursuant to section
94 7-204a to enforce parking regulations and state and local police
95 departments.

96 (f) (1) The chief executive officer of each town shall appoint a
97 suitable person, who shall not be a member of any state or local police
98 department, to be a hearing officer to hear applications to determine
99 whether or not the towing within such municipality of such motor
100 vehicle was authorized under the provisions of this section. Two or
101 more towns may join in appointing such hearing officer; provided any
102 such hearing shall be held at a location which is as near to the town
103 within which such motor vehicle was towed as is reasonable and
104 practicable. The commissioner shall establish by regulation the
105 qualifications necessary for hearing officers and procedures for the
106 holding of such hearings. If it is determined at such hearing that the
107 vehicle was not a menace to traffic, abandoned or unregistered, as the
108 case may be, the owner of such motor vehicle shall not be liable for any
109 expenses incurred as a result of the taking and storage of such motor
110 vehicle, the lien provisions of this section shall not apply to such
111 owner, and the department which took and stored such motor vehicle
112 shall be liable for such expenses. If the owner, prior to such
113 determination, pays such expenses and the storage charges of such
114 motor vehicle, and it is determined at such hearing that the motor

115 vehicle was not a menace to traffic, abandoned or unregistered, as the
116 case may be, the department or parking authority which took such
117 motor vehicle shall be liable to such owner for the amount paid by
118 such owner. Any person aggrieved by the decision of such hearing
119 officer may, [within] not later than fifteen days [of] after the notice of
120 such decision, appeal to the superior court for the judicial district
121 wherein such hearing was held.

122 (2) The chief executive officer of each municipality shall designate a
123 suitable person who shall be responsible for the collection of data
124 concerning abandoned motor vehicles within such municipality and
125 the preparation and submission of periodic reports to the
126 Commissioner of Motor Vehicles which shall contain such information
127 as the commissioner may require.

128 (g) The owner or keeper of any garage or other place where such
129 motor vehicle is stored shall have a lien upon the same for such
130 owner's or keeper's storage charges. Unless title has already vested in
131 the municipality pursuant to subsection (d) of this section, if the
132 current market value of such motor vehicle as determined in good
133 faith by such owner or keeper does not exceed one thousand five
134 hundred dollars and such motor vehicle has been stored for a period of
135 not less than fifteen days, such owner or keeper may, unless an
136 application filed by the owner pursuant to subsection (e) of this section
137 is pending and the owner of such motor vehicle has notified such
138 owner or keeper that such application for hearing has been filed, sell
139 the same for storage and towing charges owed thereon, provided a
140 notice of intent to sell shall be sent to the commissioner, the owner and
141 any lienholder of record of such motor vehicle, if known, five days
142 before the sale of such vehicle. If the current market value of such
143 motor vehicle as determined in good faith by such owner or keeper
144 exceeds one thousand five hundred dollars and if such motor vehicle
145 has been so stored for a period of forty-five days, such owner or keeper
146 shall, unless an application filed by the owner pursuant to subsection
147 (e) of this section is pending and the owner of such motor vehicle has

148 notified such owner or keeper that such application for hearing has
149 been filed, sell the same at public auction for cash, at such owner's or
150 keeper's place of business, and apply the avails of such sale toward the
151 payment of such owner's or keeper's charges and the payment of any
152 debt or obligation incurred by the officer who placed the same in
153 storage, provided if the last place of abode of the owner of such motor
154 vehicle is known to or may be ascertained by such garage owner or
155 keeper by the exercise of reasonable diligence, notice of the time and
156 place of sale shall be given to such owner and any lienholder of record
157 by mailing such notice to such owner in a registered or certified letter,
158 postage paid, at such last usual place of abode, at least five days before
159 the time of sale. At any public auction held pursuant to this subsection,
160 such garage owner or keeper may set a minimum bid equal to the
161 amount of such owner's or keeper's charges and obligations with
162 respect to the tow and storage of the motor vehicle. If no such bid is
163 made, such owner or keeper may sell or dispose of such vehicle.

164 (h) The garage owner or keeper shall report the sales price, storing,
165 towing and repair charges, if any; buyer's name and address;
166 identification of the vehicle and such other information as may be
167 required in regulations which shall be adopted by the commissioner in
168 accordance with the provisions of chapter 54, to the commissioner
169 [within] not later than fifteen days after the sale of the motor vehicle.
170 The proceeds of such sale, after deducting the amount due such garage
171 owner or keeper and all expenses connected with such sale, including
172 the expenses of the officer who placed such motor vehicle in storage,
173 shall be paid to the owner of such motor vehicle or such owner's legal
174 representatives, if claimed by such owner or them at any time within
175 one year from the date of such sale. If such balance is not claimed
176 within said period, it shall escheat to the state.

177 (i) If the owner of such motor vehicle placed in storage in
178 accordance with the provisions of this section does not claim such
179 motor vehicle within thirty days, the owner of such garage or other
180 place of storage shall, within forty days of the date such motor vehicle

181 was placed in storage with such owner, send a written notice to the
182 commissioner, stating the make, engine number and chassis number of
183 such motor vehicle, the date such motor vehicle was left with such
184 owner for storage and by whom and the registration number thereof if
185 any number plates are on such motor vehicle, which notice shall be
186 placed on file by the commissioner and shall be subject to public
187 inspection. The fee for filing such notice shall be five dollars. Any sale
188 under the provisions of this section shall be void, unless the notice
189 required by this section has been given to the commissioner.

190 (j) The Commissioner of Motor Vehicles shall adopt regulations, in
191 accordance with the provisions of chapter 54, (1) specifying the
192 circumstances under which title to any motor vehicle abandoned
193 within the limits of any highway may be transferred to any person,
194 firm or corporation towing such vehicle, and (2) establishing the
195 procedure whereby such person, firm or corporation may obtain title
196 to such motor vehicle.

197 Sec. 2. Section 14-253a of the general statutes is repealed and the
198 following is substituted in lieu thereof (*Effective July 1, 2006*):

199 (a) For the purposes of this section:

200 (1) "Special license plate" means a license plate displaying the
201 international symbol of access in a size identical to that of the letters or
202 numerals on the plate and in a color that contrasts with the
203 background color of the plate;

204 (2) "Removable windshield placard" means a two-sided, hanger-
205 style placard which bears on both of its sides: (A) The international
206 symbol of access in a height of three inches or more centered on such
207 placard and colored white on a blue background; (B) a unique
208 identification number; (C) a date of expiration; and (D) a statement
209 indicating that the Connecticut Department of Motor Vehicles issued
210 such placard;

211 (3) "Temporary removable windshield placard" means a placard
212 that is the same as a removable windshield placard except that the
213 international symbol of access appears on a red background.

214 (b) The Commissioner of Motor Vehicles shall accept applications
215 and renewal applications for special license plates and removable
216 windshield placards from (1) any person who is blind, as defined in
217 section 1-1f; (2) any person with disabilities which limit or impair the
218 ability to walk, as defined in 23 CFR Part 1235.2; (3) any parent or
219 guardian of any blind person or person with disabilities who is under
220 eighteen years of age at the time of application; and (4) any
221 organization which meets criteria established by the commissioner and
222 which certifies to the commissioner's satisfaction that the vehicle for
223 which a plate or placard is requested is primarily used to transport
224 blind persons or persons with disabilities which limit or impair their
225 ability to walk. Such applications shall be on a form prescribed by the
226 commissioner and shall include certification of disability from a
227 licensed physician or advanced practice registered nurse, licensed in
228 accordance with the provisions of chapter 378, or of blindness from an
229 ophthalmologist or an optometrist. In the case of persons with
230 disabilities which limit or impair the ability to walk, the application
231 shall also include certification from a licensed physician, an advanced
232 practice registered nurse, licensed in accordance with the provisions of
233 chapter 378, or a member of the handicapped driver training unit
234 established pursuant to section 14-11b that the applicant meets the
235 definition of persons with disabilities which limit or impair the ability
236 to walk, as defined in 23 CFR Section 1235.2. The commissioner, in said
237 commissioner's discretion, may accept the discharge papers of a
238 disabled veteran, as defined in section 14-254, in lieu of such
239 certification. The commissioner may require additional certification at
240 the time of the original application or at any time thereafter. If a person
241 who has been requested to submit additional certification fails to do so
242 within thirty days of the request, or if such additional certification is
243 deemed by the commissioner to be unfavorable to the applicant, the
244 commissioner may refuse to issue or, if already issued, suspend or

245 revoke such special license plate or removable windshield placard. The
246 fee for the issuance of a temporary removable windshield placard shall
247 be five dollars. Any person whose application has been denied or
248 whose special license plate or removable windshield placard has been
249 suspended or revoked shall be afforded an opportunity for a hearing
250 in accordance with the provisions of chapter 54.

251 (c) Any person who is eligible to obtain a special license plate
252 pursuant to subsection (b) of this section and who has a motor vehicle
253 registered in his name as a passenger vehicle, passenger and
254 commercial vehicle or motorcycle shall be issued, upon approval of the
255 application, number plates in accordance with the provisions of
256 subsection (a) of section 14-21b, which shall bear letters or numerals or
257 any combination thereof followed by the international access symbol.
258 The commissioner shall not limit the number of sets of special license
259 plates issued per applicant and shall issue sets of plates for each motor
260 vehicle the applicant owns. The registration of any motor vehicle for
261 which a special license plate is issued shall expire and be renewed as
262 provided in section 14-22 and be subject to the fee provisions of section
263 14-49, as amended. Any person eligible to obtain a special license plate
264 pursuant to this section who transfers the expired registration of a
265 motor vehicle owned by him and replaces his number plate with a
266 special license plate shall be exempt from payment of any fee for such
267 transfer or replacement. Any special license plate issued pursuant to
268 this section shall be returned to the commissioner upon the subsequent
269 change of residence to another state or death of the person to whom
270 such special license plate was issued.

271 (d) Any removable windshield placard issued pursuant to this
272 section shall be displayed by hanging it from the front windshield
273 rearview mirror of the vehicle when utilizing a parking space reserved
274 for persons with disabilities. If there is no rearview mirror in such
275 vehicle, the placard shall be displayed in clear view on the dashboard
276 of such vehicle. Upon request and payment of a fee prescribed by the
277 commissioner, one additional placard shall be issued to applicants

278 who do not have special license plates.

279 (e) Vehicles displaying a special license plate or a removable
280 windshield placard issued pursuant to this section or by authorities of
281 other states or countries for the purpose of identifying vehicles
282 permitted to utilize parking spaces reserved for persons with
283 disabilities which limit or impair their ability to walk or blind persons,
284 shall be allowed to park in an area where parking is legally
285 permissible, for an unlimited period of time without penalty,
286 notwithstanding the period of time indicated as lawful by any (1)
287 parking meter, or (2) sign erected and maintained in accordance with
288 the provisions of chapter 249, provided the operator of or a passenger
289 in such motor vehicle is a blind person or a person with disabilities. A
290 removable windshield placard shall not be displayed on any motor
291 vehicle when such vehicle is not being operated by or carrying as a
292 passenger the blind person or a person with disabilities to whom the
293 removable windshield placard was issued. Vehicles bearing a special
294 license plate shall not utilize parking spaces reserved for persons with
295 disabilities when such vehicles are not being operated by or carrying
296 as a passenger the blind person or a person with disabilities to whom
297 such special license plate was issued.

298 (f) Only those motor vehicles displaying a plate or placard issued
299 pursuant to this section shall be authorized to park in public or private
300 areas reserved for exclusive use by blind persons or persons with
301 disabilities, except that any ambulance, as defined in section 19a-175,
302 which is transporting a patient may park in such area for a period not
303 to exceed fifteen minutes while assisting such patient. Any motor
304 vehicle parked in violation of the provisions of this subsection for the
305 third or subsequent time shall be subject to being towed from such
306 designated area. Such vehicle shall be impounded until payment of
307 any fines incurred is received. No person, firm or corporation engaged
308 in the business of leasing or renting motor vehicles without drivers in
309 this state may be held liable for any acts of the lessee constituting a
310 violation of the provisions of this subsection.

311 (g) The State Traffic Commission, on any state highway, or local
 312 traffic authority, on any highway or street under its control, shall
 313 establish parking spaces in parking areas for twenty or more cars in
 314 which parking shall be prohibited to all motor vehicles except vehicles
 315 displaying a special license plate or a removable windshield placard
 316 issued pursuant to this section. Parking spaces in which parking shall
 317 be prohibited to all motor vehicles except vehicles displaying such
 318 special plate or placard shall be established in private parking areas for
 319 two hundred or more cars according to the following schedule:

T1	Total Number	Number of Special
T2	Of Parking Lot Spaces	Parking Spaces Required
T3	0 - 200	Exempt
T4	201 - 1000	1.0%
T5	1001 - 2000	10 plus 0.8% of spaces
T6		over 1000
T7	2001 - 3000	18 plus 0.6% of spaces
T8		over 2000
T9	3001 - 4000	24 plus 0.4% of spaces
T10		over 3000
T11	4001 or more	28 plus 0.2% of spaces
T12		over 4000

320 All such spaces shall be designated as reserved for exclusive use by
 321 handicapped persons and identified by the use of signs in accordance
 322 with subsection (h) of this section. Such parking spaces shall be
 323 adjacent to curb cuts or other unobstructed methods permitting
 324 sidewalk access to a blind or handicapped person and shall be fifteen
 325 feet wide, including three feet of cross hatch, or be parallel to a
 326 sidewalk. The provisions of this subsection shall not apply (1) in the
 327 event the State Building Code imposes more stringent requirements as
 328 to the size of the private parking area in which special parking spaces

329 are required or as to the number of special parking spaces required, or
330 (2) in the event a municipal ordinance imposes more stringent
331 requirements as to the size of existing private parking areas in which
332 special parking spaces are required or as to the number of special
333 parking spaces required.

334 (h) Parking spaces designated for the handicapped on or after
335 October 1, 1979, and prior to October 1, 2004, shall be as near as
336 possible to a building entrance or walkway and shall be fifteen feet
337 wide including three feet of cross hatch, or parallel to a sidewalk on a
338 public highway. On and after October 1, 2004, parking spaces for
339 passenger motor vehicles designated for the handicapped shall be as
340 near as possible to a building entrance or walkway and shall be fifteen
341 feet wide including five feet of cross hatch. On and after October 1,
342 2004, parking spaces for passenger vans designated for the
343 handicapped shall be as near as possible to a building entrance or
344 walkway and shall be sixteen feet wide including eight feet of cross
345 hatch. Such spaces shall be designated by above grade signs with
346 white lettering against a blue background and shall bear the words
347 "handicapped parking permit required" and "violators will be fined".
348 Such sign shall also bear the international symbol of access. When such
349 a sign is replaced, repaired or erected it shall indicate the minimum
350 fine for a violation of subsection (f) of this section. Such indicator may
351 be in the form of a notice affixed to such a sign.

352 (i) Any public parking garage or terminal, as defined in the State
353 Building Code, constructed under a building permit application filed
354 on or after October 1, 1985, and prior to October 1, 2004, shall have
355 nine feet six inches vertical clearance at a primary entrance and along
356 the route to at least two parking spaces which conform with the
357 requirements of subsection (h) of this section and which have nine feet
358 six inches' vertical clearance unless an exemption has been granted
359 pursuant to the provisions of subsection (b) of section 29-269. Each
360 public parking garage or terminal, as defined in the State Building
361 Code, constructed under a building permit application filed on or after

362 October 1, 2004, shall have eight feet two inches' vertical clearance at a
363 primary entrance and along the route to at least two parking spaces for
364 passenger vans which conform with the requirements of subsection (h)
365 of this section and which have eight feet two inches' vertical clearance
366 unless an exemption has been granted pursuant to the provisions of
367 subsection (b) of section 29-269.

368 (j) The commissioner may suspend or revoke any plate or placard
369 issued pursuant to this section when, after affording the person to
370 whom such plate or placard was issued an opportunity for a hearing in
371 accordance with chapter 54, the commissioner or his representative
372 determines that such person has used or permitted the use of such
373 plate or placard in a manner which violates the provisions of this
374 section.

375 (k) Nothing in this section may be construed to allow a blind person
376 or a person with disabilities who is a bona fide resident of the state to
377 park in a public or private area reserved for the exclusive use of
378 handicapped persons as provided in this section if such person does
379 not display upon or within his vehicle a plate or placard issued
380 pursuant to this section.

381 (l) Violation of any provision of this section shall be an infraction,
382 provided the fine for violation of the provisions of subsection (f) of this
383 section shall be not less than eighty-five dollars.

384 (m) The Commissioner of Motor Vehicles shall adopt regulations in
385 accordance with the provisions of chapter 54, to carry out the
386 provisions of this chapter and to establish a uniform system for the
387 issuance, renewal and regulation of special license plates, removable
388 windshield placards and temporary removable windshield placards.
389 Such plates and placards shall be used only by persons to whom such
390 plates and placards are issued.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	14-150
Sec. 2	<i>July 1, 2006</i>	14-253a

Statement of Purpose:

To clarify when police can tow unregistered vehicles and to increase the number of special license plates issued per applicant.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]